

**VILLAGE OF COLD SPRING PLANNING BOARD  
85 MAIN STREET, COLD SPRING, NEW YORK 10516  
Monthly Meeting  
Butterfield Realty LLC**

October 2, 2013

**Members present:** Chairman, B. M. Molloy; **Members:** Karn Dunn, James Pergamo, Anne Impellizzeri and Arne Saari **also present** Special Counsel, Anna Georgiou; Planning Board Consultant, Charles Voss from Barton & Loguidice and Planning Board Liaison Matt Francisco

**Present for the Applicant:** Paul Guillaro and Matt Moran, Unicorn Contracting; Tim Miller, Tim Miller Associates and Steven Barshov; Sive Paget and Riesel PC

The meeting was called to order at 7:10 P.M.

**1. Chairman's remarks:**

Chairman **B.M. Molloy** noted that Charles Voss technical reviewed of the EAF process which will result in a memo to the applicant at which point the applicant, and the Planning Consultant Chuck Voss will meet to initiate a review. Charles Voss noted that the clock will not start until all answers to any question by the Planning Board are answered.

**2. Minutes:**

The minutes of September 17, 2013 were reviewed. **A. Impellizzeri** moved to approve the minutes as presented and **J. Pergamo** seconded the motion. The minutes were approved unanimously.

It was noted by Chairman Molloy that all applicants will be required to have a minimum of \$5,000.00 in escrow available to cover costs. All charges will be deducted each month. Any applicant whose escrow account gets below \$5,000.00 will be required to add more money to the escrow account.

**3. Correspondence:**

- Bill from Wormser, Kiely, Galef and Jacobs LLP in the amount of \$644.00 dated 9/10/13 was approved for payment.
- Pace Law School Conference - will be held December 6, 2013. Chairman **B.M. Molloy** will contact other Board Chairs to try to get a group together to go to the conference.

**4. Unfinished Business**

**A. Review of EAF part 1.**

Charles Voss reviewed and discussed the comments and concerns of part 1 of the EAF.

Board members expressed concern over the following:

- Approval of conceptual site plan approval and then finding something such as rock that could change the site plan.
- Water and sewage capacity for the proposed project.
- Impact to community and noted that impact is large.
- Clarity regarding the senior center/community center for residents and non-residents.

- Gateway Park has been decreased.
- Traffic flow in the case of an emergency.
- Look into overall health of tree.
- Concern over solid waste disposal.

Anna Georgiou reviewed the process for the Planning Board as Lead Agency to formulate its determination of significance under SEQRA, that is whether to issue a positive or negative declaration for the action. Ms. Georgiou noted that the Board should identify impacts and take a hard look at them to see if there may be the potential for at least one significant adverse environmental impact. The Planning Board is currently in the Information gathering process. A memo will ultimately be prepared regarding concerns. Chairman Molloy suggested that Board members should circulate any additional questions have to Chuck Voss within 48 hours. Comments will be back by Friday. The memo will be drafted and then shared with the applicant.

The next meeting will be held October 16, 2013 at 7:00 P.M.

***B. Formula Business:***

The Board members discussed and commented on the third draft of the proposed formula business law. A discussion ensued over whether or not to suggest a chain of 3 or 4 or more to be prohibited in the Village. **A. Impellizzeri** moved to propose to change the language to a chain or group a chain of three or four or more depending on the Village Board discretion. The Board was unanimous in recommending the above proposal by A. Impellizzeri to the Village Board.

Matt Francisco reviewed the local law changes regarding the Butterfield Realty LLC zoning changes.

**5. Public questions:**

Reporter, Kevin Foley asked when the report by the consultant will be available to the public. Chairman **B.M. Molloy** responded when document is prepared in final form it will be ready for the applicant and it will be available to the public as well.

The Board was all in favor of going into executive session for review with council at 8:31 P.M.

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B.M. Molloy, Planning Board Chairman

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Date